UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,991	10/06/2000	John Murata	1001580-712	1957

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EXAMINER
TRUONG, LECHI

ART UNIT	PAPER NUMBER
2194	

NOTIFICATION DATE	DELIVERY MODE
06/04/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	*09/680,991*	MURATA, JOHN
	Examiner	**Art Unit**	
	LECHI TRUONG	2194	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>06 May 2008</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

      Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: <u>none</u>.

   Claim(s) objected to: <u>none</u>.

   Claim(s) rejected: <u>4-11,14-20 and 22-26</u>.

   Claim(s) withdrawn from consideration: <u>1-3,12,13 and 21</u>.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

   /Meng-Ai An/
   Supervisory Patent Examiner, Art Unit 2195

Continuation of 11. does NOT place the application in condition for allowance because: Response to the argument
1.   Applicant amendment filed on 05/06/2008 has been considered but they are not persuasive:
          Applicant argued in substance that:
          (1) "Deen does not disclose or suggest "generating at the client an HTTP path name having an identity of a container within the server that contains administrative data about the server", "processing at the server the HTTP path name to retrieve the administrative data from the identified container of the server if the HTTP path name includes the identy of the container" and "transmitting the administrative data from the server to the client".
          (2) "Deen fail to disclose or suggest "determining at the server whether the HTTP path name includes the identity of the container of the server".
          (3) " Guta does not disclose or suggest " administrative data about[the] server".

2.   Examiner respectfully disagreed with Applicant's remarks:

          As to the point (1), Deen teaches when a client makes [generating] an HTTP request [http path name], e.g. a GET request, the request will specify a namespace [container] that is associated with a resource of interest. For example, the request may specify the namespace "http:.backslash..backslash.www.document.com". This namespace may point to many different physical locations that contain resources [data] at are associated with the namespace, col 11, ln 45-55)/The server 14 receives the request and processes the HTTP request headers that accompany the request. In addition, the server 14 maps the URL contained in the request to a physical path (for example, the URL "http://server/document.htm" that might be contained in a request can get mapped to "d:.backslash.inetpub.backslash.wwwroot.backslash.document.htm"). The request may also include user name and password information that requires authentication by the server, col 4, ln 35-45 /Assume that there is a namespace called "/FS/Documents" and that this is a directory that is set up on a server, col 12. ln 55-60 and Gupta teaches at the server retriever the data, transferring the data from the server (the proxy server receives a request to access a specific resource from a client system. The proxy server examines [processing] the request to determine if it can service the request itself. If the particular web page is stored in its cache, the proxy server will retrieve the web page and forward it to client hat made the request.... The URL acts as the address of the resource and as such is unique throughout the Internet. The proxy server retrieves the web page from the resource specified by the UDL address and transfers the web page to the client (para [0007], ln 1-10).

          As to the point (2) Deen teaches the resources are simply unified under a common namespace that can be used in the client request. This type of a namespace is referred to as a "virtual" namespace because it may have one or more different physical locations associated with it where different resources are located. Thus, when the server receives a client request that contains a virtual namespace, it typically maps [determining] the virtual namespace [identify of the container or server] to the one or more physical locations [container of server] where the requested resources [data] are located, Col 11, ln 50-58).

          As to the point (3), McChesney teaches each server administrator 203 maintains configuration information for the particular server 201 associated with the server administrator 203, including information that can be known whether or not the server 201 is executing (col 6, ln 22-25/ The server administrator 203 provides clients 105 with a unified means for accessing and manipulating configuration information about the server 201 with which it is associated. FIG. 4a illustrates a dataflow diagram of the basic architecture of obtaining and manipulating configuration information. Generally, the server administrator 203 receives 401 a request from a client 105, through an invocation of one of its operations or attributes, for selected configuration information about the server 201. The server administrator 203 will execute 403(a,b) the appropriate method, as requested by the client 105 to manipulate the information. The server administrator 203 may then return 413 the information to the client 105 if requested (col 8, ln 1-14).
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